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May 19, 2017

**BY ECF**

Honorable Katherine H. Parker  
United States Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *City of Almaty, Kazakhstan, et ano. v. Mukhtar Ablyazov, et al.*,  
Case No. 15 Civ. 5345 (AJN) (KHP)**

**Status of Discovery**

Dear Judge Parker:

We represent the City of Almaty, Kazakhstan and BTA Bank (“the Kazakh Entities”) and write on behalf of all parties. At the motion hearing on March 28, 2017, Your Honor instructed the parties to provide a letter detailing the status of discovery and readiness for a settlement conversation by today’s date (Tr. 36:21–24, 37:7–9, available at ECF No. 299-3).

At this time, the parties are actively engaged in fact discovery. Although the discovery cut-off is currently July 14, 2017, a number of significant discovery disputes are currently pending, including the Kazakh Entities’ letter motion to compel the deposition of Ilyas Khrapunov (ECF No. 303), the Kazakh Entities’ letter motion to compel the depositions of Marc Gillieron and Petr Krasnov (ECF No. 317), and Triadou SPV S.A.’s letter motion to compel the production of documents from and deposition of Arcanum (submitted via email on May 5, 2017). Other discovery disputes are still being discussed among the parties, but may well need to be resolved by the Court.

In light of the outstanding motions before Your Honor and before Judge Nathan, not all parties are prepared to discuss settlement. Accordingly, the parties collectively agree that having a settlement conference would not be productive at this point.

Respectfully,

/s/ Matthew L. Schwartz  
Matthew L. Schwartz